

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DOUGLAS W. MAROLF,

Plaintiff,

v.

AYA AGUIRRE & ARANZABAL
S.A., NORTHEAST SHOOTING
SPORTS, L.L.C., ARMES DE
CHASSE, an Association, LOUISE
K. FOLEY, Individually and as
Trustee ad Litem of Armes de
Chasse, and ARMUND E. FOLEY,
Individually and as Trustee ad Litem
of Armes de Chasse,

Defendants.

4:09CV3221

MEMORANDUM AND ORDER

The parties have filed a joint stipulation for an order dismissing Plaintiff's claim for punitive damages without prejudice (filing [95](#)). Pursuant to this stipulation, Plaintiff's claim for punitive damages in Plaintiff's amended complaint (filing [79](#)) shall be dismissed without prejudice, and the motion (filing [83](#)) to dismiss Plaintiff's claim for punitive damages pursuant to [Fed. R. Civ. P. 12\(b\)\(6\)](#) shall be denied as moot.

IT IS ORDERED:

1. Pursuant to the parties' joint stipulation for an order dismissing Plaintiff's claim for punitive damages (filing [95](#)), Plaintiff's claim for punitive damages in Plaintiff's amended complaint (filing [79](#)) is dismissed without prejudice; and

2. Defendant AyA Aguirre & Aranzabal S.A.'s motion (filing [83](#)) to dismiss Plaintiff's claim for punitive damages pursuant to [Fed. R. Civ. P. 12\(b\)\(6\)](#) is denied as moot.

DATED this 10th day of February, 2011.

BY THE COURT:

Richard G. Kopf

United States District Judge